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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE:

JUN 30 1981

SUBJECT: Referral for Enforcement Action Under the Resource Conservation and Recovery Act (RCRA) - The Perfection Manufacturing Company

FROM: Michael J. Sanderson *MJS*
Chief, ENFC/CMPL

TO: Terry S. Watt
Chief, ENFC/CMPL

On August 7, 1980, Perfection Manufacturing Company, 5441 Bulwer Avenue, St. Louis, Missouri 63147, sent the Environmental Protection Agency (EPA) a Notice of Hazardous Waste Handling Activity, as required by Section 3010 of RCRA. The company notified EPA that they generated, transported and were either a treatment, storage or disposal facility of hazardous waste.

Having not received a Part A Hazardous Waste Permit Application by November 19, 1980, as required by 40 CFR 122.22(a) for existing hazardous waste treatment, storage or disposal facilities, the Enforcement Division sent the company a letter, pursuant to Section 3007 of RCRA, requesting information concerning the facility's hazardous waste handling activities. This letter was dated February 23, 1981, and was signed by Louise D. Jacobs, Director, Enforcement Division.

On February 27, 1981, David Doyle was contacted by Mr. Ward Buck, Vice President of Manufacturing, Perfection Manufacturing Company. Mr. Buck told Mr. Doyle that the man who had been in charge of handling its facility's hazardous waste activities was no longer with the company and that he did not have much of an idea of what was going on at the facility concerning the handling of hazardous waste. He said that the facility had been bought by Alleghany Ludlin Corporation in December 1980, and there was a lot of confusion at the facility before and since that time. He said that the facility has a paint booth that generates a paint sludge and he believes that they are presently storing approximately 30 drums of paint sludge in 55-gallon drums on-site.

On March 4, 1981, David Doyle was called by Mr. Steven Wilner, of Alleghany Ludlin Corporation, Pittsburgh, Pennsylvania. Mr. Wilner said that it would take them several weeks to ascertain what was going on at the St. Louis facility concerning their handling of hazardous waste. He was given until the end of March to respond to the February 23, 1981 letter.

On March 20, 1981, Mr. Wilner again spoke with David Doyle and told him that he had investigated the situation at Perfection Manufacturing and couldn't determine why the facility notified EPA on August 7, 1980, as a generator, transporter or TSD facility. He said that they are a small-quantity generator of hazardous waste and are presently storing approximately 2000 pounds of caustic cleaning sludge and paint sludge on-site. He said that the facility does not plan to be a storage facility after it disposes of the waste now on the plant site, so it would not need to submit a Part A.



On March 24, 1981, Mr. Ward A. Buck, Jr. of Perfection Manufacturing responded to the February 23, 1981, Section 3007 letter. His letter reiterated what both he and Mr. Wilner had told David Doyle earlier and noted that Bob's Home Service located in Wright City, Missouri, would be transporting and disposing of the hazardous waste within 2 1/2 weeks.

On April 7, 1981, David Doyle contacted Mr. Wilner and asked him what the status of the hazardous waste at Perfection Manufacturing was. He said that Bob's Home Service still had to obtain a permit from the Missouri Department of Natural Resources (MDNR) before they could pick-up and dispose of the waste.

The MDNR had promised to issue the permit by April 10, 1981. When the permit is issued, Perfection will immediately have Bob's Home Service take the waste off the facility site.

On April 20, 1981, Mr. Buck called David Doyle and told him that Bob's Home Service, Wright City, Missouri had taken away 67 drums of hazardous waste being stored at the facility. No hazardous waste was left at the facility. Mr. Buck said that Bob's Home Service had been contracted to pick up the small quantity of hazardous waste generated at the plant in the future.

Mr. Buck sent David Doyle a letter on April 20, 1981, reaffirming what he had said on the telephone.

The Compliance Branch is recommending that a Letter of Warning be issued to Perfection Manufacturing Company. This Letter of Warning should note that the company was in violation of RCRA, from November 19, 1980 until approximately April 13, 1981, while storing hazardous waste without attaining "interim status," as required by Section 3005 of RCRA.

The Letter of Warning should note that, although the company was in violation of RCRA, EPA is using its enforcement discretion in not requesting that monetary penalties be assessed against the company. The letter should point out that, since the facility is a small-quantity generator of hazardous waste, the requirements of 40 CFR 261.5 are to be complied with.

Attachments: TCR - Conversation between David Doyle and Ward Buck, Jr., 2/27/81.
Letter from Perfection Mfg., dated 3/4/81.
TCR - Conversation between David Doyle and Steven Wilner, 3/20/81.
Letter from Perfection Mfg., dated 3/24/81.
TCR - Conversation between David Doyle and Steven Wilner, 4/7/81.
TCR - Conversation between David Doyle and Ward Buck, 4/20/81.
Letter from Perfection Mfg., 4/20/81.
Notification of Hazardous Waste Activity Form from Perfection Mfg., 8/4/80.